

P 238

B

App. F. IX-4

1937-8.
(C.S.)

File No. 97-37

Serial Nos. 1-7

Previous References
11-36-176

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Seven.

Part B for Nov. 30

SUBJECT.

Exemption of Cooperative societies indebted to Central
financing Institutions from the operation of the
Agricultural Relief Act

53402 on 1.11.38

10- Compiler m/q.

WD 0418-GPB-22,500-29-8-36

Direct that the provisions of the Agricultural
Relief Act X of 1938, except sections 2 and 3 shall
not apply to any matter to or in which any
of the Cooperative societies indebted to Central
financing Cooperative Banks is a party.



6094

6142

GENERAL AND REVENUE SECRETARIAT.

(b.s.)

NOTES.

File No. 97-37

FILE HEADING.

Exemption of Cooperative societies indebted to the Central Fin. and Ins. Institutions from the operation of the Agricultural Relief Act

FROM

The Minister of Cooperative Societies
in Mysore

No. 8843, 8894 Dated 28/4/38, 29/4/38 Received 30/4/38

Diary No. 6094
6142

Enclos. -

Spare copies -

Serial No. 142

BRIEF ABSTRACT OF LETTER

Recommends exemption of the societies indebted to the New Bank, 3/4th Central Coop Bank, Central L.M. Bank and the Dr. Central Bank and particularly the Banner Coop Society Union and the Kamalaver Coop Society.

NOTES AND ORDERS.

It is held that according to Section 25 A. of the Agr. Relief Act. Govt may by notification direct that the provisions of the Act shall not apply to any matter to or in which any society or class of societies registered under the C.S. Act, is a party and may by similar notification withdraw the exemption in respect of any such society or class.

societies. The Member now requests that the
Bannur Cooperative Society Union, and
the Hannalaga Cooperative Society be exempted
as also all societies indebted to the Central
Financing Institutions, viz. All India Bank, L.M.
Bank, the Central Bank and the B'ham
Central Bank.

2) It is admitted that the question of
granting exemption to all cooperative societies
from the operation of the Area Relief Act
was recommended by the Committee
on Cooperation was discussed and it
was decided that the question may lie over
for the present. While recommending the
exemption of the Bannur and Hannalaga
Societies from the operation of the Act the
Member has not clearly explained the necessity
for adopting such case. In the absence of
such explanation it does not seem desirable
to grant exemption merely on the recommendation

(Vice Secy
file D/O
1/22/33)

3) In regard to the question of exempting
all Cooperative Societies ~~from the operation~~
indebted to the Central Financing Banks
it seems desirable to obtain information
on the number of Societies that are
indebted to each ^{Central} financing institution
~~in order~~ in order to see the number of Societies
that are to be affected by adopting such
a policy. It is also for consideration whether
it is not desirable and advisable to take up

Serial
No.

Exemption of individual societies on
their merits than adopt a wholesale
exemption of societies, even though
belonging to a particular class.

4) Off letters to the Revision calling for
further particulars are subs for orders

to the

19/5/38

5) The exemption is asked for,
apparently, to enable the primary
societies to recover their outstandings
quickly and to repay to Central
financing bodies.

6) The Rep. may be asked to
state his reasons for the recommendation
specifically, giving figures & facts
to support thereof.

Dec 28/37

16/5/38

7) Lm
20/5/38

8) Subs for orders whether the draft in the
file may come

4/5/38
20/5/38

9) Issued
16/5/38

TYPING

Exemption of C.S. from the operation of the provisions of the Impove. Agriculturists' Relief Act.

C.S. File No. 97

of 1937.

General and Revenue Secretariat

Serial No.

N^o. D 8962 of 30.5.38 To the Registrar of C.S.

3

Requests him to intimate the number of C.S. indebted to each of the Central Financing Institutions, the amt. due, the necessity for such exemptions.

N^o. D 8961 of 30.5.38 To the Registrar C.S.

4

Requests him to intimate the necessity for granting exemption to the two Societies

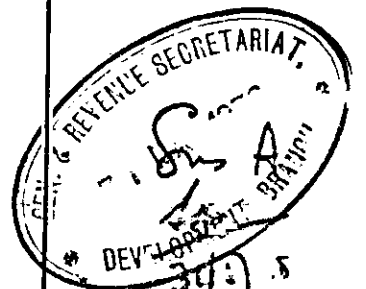
Letter No 3424 dated 7-9-38 from the Registrar of C. forwarding the information called for

1) It is seen from the information that as much as Rs 22 lakhs is outstanding against 394 Aries in indebted to the Muz Bank and that it was in the hands of the party Society that raised the plea for protection under the Agri Relief Act. The Registrar states that exemption of individual societies on their merits would involve delay. Refd for

over

to
10/9/38
mm

2) In the interests of the Coop. institutions, which stand on a different footing from ordinary money lenders, the exemption may perhaps



R. S. S. S.
10/8/38

1765
p 234

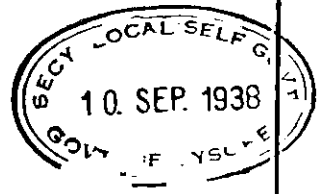
Exemption of Central Financier Coop Bank
from the operation of the Agr. Relief Act

General and Revenue
Secretariat

File No. 97 of 1937

[App. F. III-2]

1401



Serial
No.

be made. Such a step, however, may
drive away a portion of the agriculturists,
whose main intention is joining a
Coop. Socy. now is perhaps to prospect
of obtaining loans, — into the hands of
sawcars & moneylenders as they can
then make the use of the Agr. Relief
Act.

12) [The Madras papers recd. today contain
a report of proceedings of the Pudukkottai
d.C. where a bill containing such an
exemption has been passed.]

Secy - L.S.G.)

108
10.9

13) In view of the fact that any form of legisla-
tion a non perfect one may perhaps come under
the 25th year Agr. Relief Act exemption
the class of persons mentioned in the Act
for the purpose of the said Act



RECORDED MEMBER OF COUNCIL
12 SEPT. 1938
18.76

11 member)
14) Law Secy may be consulted

13/9/38

12935

NOTE—Contn. Sheet.

Law
149

15) Asst. Secy. Law. }
W.C. }

13935
15/9

1160
P

1401
J 1551

Exemption of Coop Societies from the operation of provisions of the Mysore Agri. Relief Act of 1937.

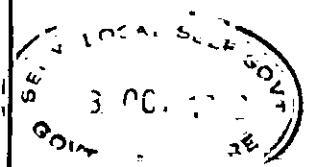
General and Revenue
Secretariat

CS File No.

97

Serial
No.

16) Section 25A of the
Agriculturists' Relief Act gives the
necessary power to Government to
exempt any Society or class of Societies
registered under the Co-operative Societies Act
from the operation of the A.R. Act (except
Sections 2 and 13). If the Govt think
that the class of Societies under consideration
is in need of such an exemption,
relief may be given by issue of
a notification in the official Gazette
as contemplated in Section 25A.



19)

This may be done
now

Asst Secy
Director
WC

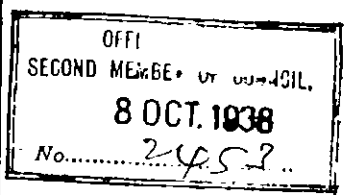
BXR
29.9.38

1160
1.10.38

17) Secy L.S.G.

620 38

18) 11 members



19) 8/10/38

107 10

1160
10/10

2425/38
p138

1551

7

General and Revenue
Secretariat

File No.

97

of 1937.

[App. F. III-2]

Serial
No.

20)

Dft notification is dtds for orders. In the notes
the Baucalon butne boof Bank is also included
because it was also a central financing bank
before 1926 though it is now a purely urban bank
extending its operations throughout the State. Fifty crores
are indebted to this Bank and the sum due is Rs 1.57
lakh. The draft may perhaps be sent to the
Law Section for favour of scrutiny before issue for

1/10/38
18/10/38

21) In favour of remarks

Asst. Secy. Secy.
w/c

1/10/38
15.10.38

22)

The notification may appear
as far as possible, the wordings of Section 25 A.
The portion in pencil may be substituted for
the bracketed portion in the notification.

1/10/38
25.10.38

Asst. Secy.
Secy.
w/c

23) Revised draft please

1/10/38
26/10

Draft revised and resubmitted as directed

1/10/38
26/10/38

1/10/38
26/10

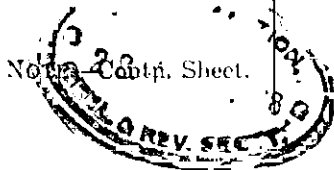
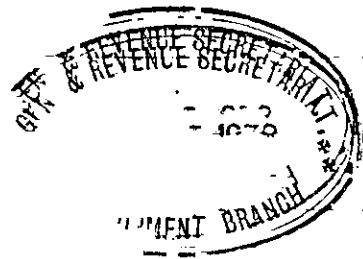
Secy. L.S.G.)

27.10.38

27.10.38

1/10/38

132
Law



Exemption of C.S. from the operation
of the provisions of the Mysore appl.
relief Act
of 1937.

4015/551

File No. 97

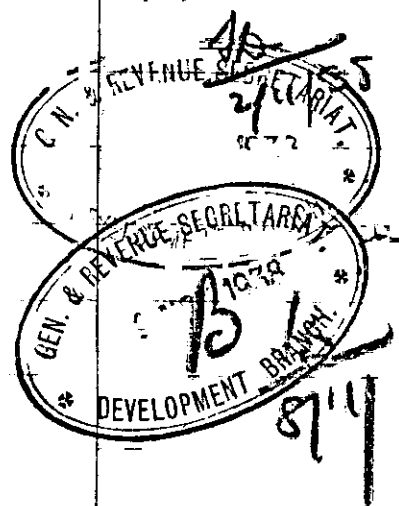
General and Revenue
Secretariat

No. D 3802 of 1-11-38 To the Comptroller Dy. 7

Directs that the provisions of the Act
except Sections 2 & 13 shall not apply
to the C.S. indebted to the central
to any matter to, or in which, any financial
Co-op. Bank is a party.

No. D 3803-13 of 1-11-38 To the Pres. Comm.
To the Registrar C.S., the Registrar High
Court with covering letter to the Dy. Commr.
of B.S. for information.

Press Sm C



It is directed that the provisions of the
Act shall not apply to the C.S. indebted to the central
to any matter to, or in which, any financial
Co-op. Bank is a party.

C. S. 97-37-1.

No. 8843 C. S.

GOVERNMENT OF MYSORE.

DEPARTMENT OF CO-OPERATION.

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
IN MYSORE.

Dated Bangalore, 28th April 1938.

Telegraphic Address:
"CO-OPERT"
Bangalore

FROM
M. ABDUL HUKH, Esq., B.A.,

Registrar of Co-operative Societies in Mysore,

BANGALORE. DISTRICT BRANCH.

To

P.H. Krishna Rao, Esq., M.A.,

Secretary to the Government of Mysore,
Local Self-Government Department, Bangalore.

Sir,

Subject:- Exemption of Co-operative Societies from the
operation of the provisions of the Mysore Agri-
culturists' Relief Act.

I have the honour to invite your kind reference to Section 25
of the Mysore Agriculturists' Relief Act XVIII of 1928 as amended by
Act VII of 1935 and to request that Government may, in exercise of
the powers vested in them under the said Section, be pleased to --
exempt all Co-operative Societies indebted to the Central Financing
Institutions such as the Mysore Provincial Co-operative Apex Bank,
the Central Co-operative Land Mortgage Bank, the Bangalore Central
Co-operative Bank, and the District Central Banks, from the opera-
tion of the provisions of the said Act and a Notification published
in the Mysore Gazette, accordingly.

I have the honour to be,
Sir,
Your most obedient servant,

M. Abdul Hukh
Registrar.

L.S. 25/4.

C.S. 97. 37-2.

No. 8894 C. S.

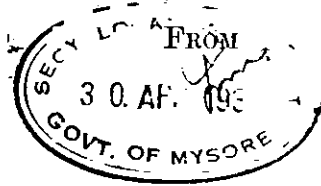
GOVERNMENT OF MYSORE.

DEPARTMENT OF CO-OPERATION.

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
IN MYSORE.

Dated Bangalore, 29th April 1938.

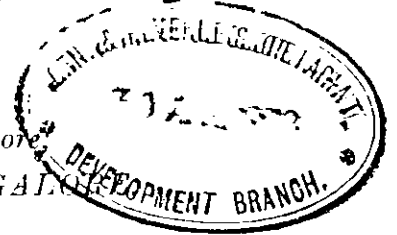
Telegraphic Address:
"CO-OPERT"
Bangalore



M. ABDUL HUKH, Esq., B.A.,

Registrar of Co-operative Societies in Mysore,

BANGALORE.



To

P.H. Krishna Rao, Esq., M.A.,
Secretary to the Government of Mysore,
Local Self-Government Department, Bangalore.

Sir,

I have the honour to state that the President of the Mysore District Central Co-operative Bank, Ltd., Mysore has requested that

1. The Bannur Sri Ramaswamy	¶	Government may be pleased to -
Praspara Sahaya Sangha,	)	
Unltd., T-Narsipur Taluk.	¶	exempt the marginally noted -
	(	
2. The Homalagere Sri Madana-	¶	Co-operative Societies indebted
gopala Krishnaswami Co-opera-	)	
tive Society, Unltd., Mandya	¶	to it from the operation of pro-
Taluk.	(	
		visions of the Mysore Agricul-

turists Relief Act in exercise of the powers vested in them under Section 25 A. of the said Act. I recommend that these societies may be exempted as prayed for by the President and a Notification published in the Mysore Gazette accordingly.

I have the honour to be,
Sir,
Your most obedient servant,


Registrar.

L.S. 28/4.

SUBJECT

Two 5/5
2Section 62File No. 97-37Serial No. 3No. 88962

Diary No. of letter replied to.....

To

The Registrar of C.S.

General and Revenue Secretariat

()
the 193 .

Date of issue.....

30.5-38

Signed by

WKS

List of enclosures.....

Copied by

Examined by.....

Sir

With refer to your letter
No 8863 dated the 28th April 38
requesting exemption of all
cooperative Societies in debt to
the Central financing institution
I am directed to request you
to kindly intimate the
number of Cooperative Societies
indebted to each of the Central
financing institutions with
amount due from necessity for fresh
~~presenting~~ particulars
compliance.

I have etc

WKS20/5Secy. L. & S.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

u

No.

Bangalore, Dated, 27th May 1938.

108962/CS-97-37-3 30

From

The Secretary to the Government of His Highness the Maharaja of Mysore,

Local Self-Government Department.

To

The Registrar of Co-operative Societies in Mysore,
Bangalore.

Sir,

With reference to your letter No.8843 dated the 28th April 1938 requesting exemption of all Co-operative Societies indebted to the Central Financing Institutions I am directed to request you to kindly intimate the number of Co-operative Societies indebted to each of the Central Financing Institutions, the amount due and the necessity for such exemption .

I have the honor to be,

Sir,

Your most obedient servant,

(H)

11/5 28/5

For Secretary to Government,
Local Self-Government Department.

Als.

SUBJECT

Two 8/5

Section

b.s.

File No.

97-37.

Serial No.

4

Diary No. of letter replied to.....

No.

W8961

To

The Registrar of C.S.

General and Revenue Secretariat

the

193

Date of issue.....

30.5.38

Signed by

W. B. S.

am to add that
 Some information
 as furnished about
 numbering C.S. in relation
 to Central Financings
 institutions, to demand
 their debts to the bank,
 & the reasons for the
 recommendations of
 list of enclosures.....

Copied by

Examined by.....

Sir

With reference to your letter No
 8894 dated the 29th April 38
 recommending exemption of
 the Banner cooperative society
 Multo. and the Homelapre
 B.S. Multo. from the operation
 of the Air Relief Act I am
 directed to request you to kindly
 explain in detail the reasons
 for granting exemption to the
 two societies.

I have etc

K.S.
 J. K. S. 2/5/38

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 30.5.1938

No.

W-8961/cs-97-37-4

From

*The Secretary to the Government of His Highness the Maharaja of Mysore,
Local Self-Government Department.*

To

The Registrar of Co-operative Societies in Mysore,
Bangalore.

Sir.

With reference to your letter No.8894 dated the 29th April 1938 recommending exemption of the Bannur Co-operative Society Unltd. and the Honnalagere Co-operative Society Unltd. from the operation of the Agricultural Relief Act I am directed to request you to kindly explain in detail the necessity for granting exemption to the two Societies. I am to add that some information may be furnished about the number of Co-operative Societies indebted to the Central Financing Institutions, the extent of their debts to the latter, and the reasons for the recommendation of generally exempting all such Societies from the operation of the Agricultural Relief Act.

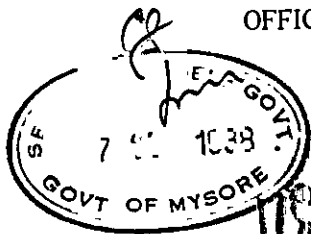
I have the honor to be,
Sir,
Your most obedient servant,

165
28/5
For Secretary to Government,
Local Self-Government Department.

Als.

GOVERNMENT OF MYSORE.

3.4.24 C. S.

DEPARTMENT OF CO-OPERATION.
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
IN MYSORE.Telegraphic Address:
"CO-OPERT"
Bangalore

Dated Bangalore, 7 September 1938.

FROM

M. ABDUL HUKH, ESQ., B.A.,

Registrar of Co-operative Societies in Mysore,

BANGALORE.

To

P.H. Krishna Rao, Esq., M.A.,
Secretary to the Government of Mysore,
Local Self-Government Department, Bangalore.

Sir,

With reference to your letter No.D.8962/C.S.97-37-3 dated 30th May 1938 calling for information regarding the number of Co-operative Societies indebted to each of the Central Financing Institutions, the amounts due etc., I have the honour to note below the information required.

Name of the Central Financing Institution.	No. of indebted societies.	Amount due. (Principal).
		Rs.
1. The Apex Bank, Ltd., Bangalore	394	22,26,082
2. The Bangalore Central Co-operative Bank, Ltd.,	50	1,57,090
3. The Mysore Central Land Mortgage Bank	29	4,90,744
4. The Mysore District Central Bank	8	27,854
5. The Hassan District Central Bank	7	9,576
6. The Tumkur District Central Bank	12	35,799
7. The Kadur District Central Bank	2	4,459
8. The Shimoga District Central Bank	1	1,500

2. Many of the societies are bad defaulters to the Central Financing Institutions and suits have in consequence been filed - against the defaulting members of the societies, a few in the Civil Courts and others before the Officers of the Department. As in many cases, the execution proceedings could not be successfully completed and possession of properties obtained by the societies, in execution of the decrees by the Revenue authorities under Rule 16 of the Rules under the Mysore Co-operative Societies' Act the societies had to be permitted to go to the Civil Courts for execution and for securing

securing possession of the properties. It has come to my notice that in such cases, the parties claim protection under the Agriculturists' Relief Act.

3. Under Section 11 of the said Act, in the course of my proceedings under a decree for redemption, foreclosure or sale, the Court may direct that any amount payable by the mortgagor under the decree shall be payable in instalments. As a decision transferred from the Officers of the Department for execution to a Civil Court becomes, for purposes of execution, a decree of that court under Rule 16 of the Mysore Co-operative Societies' Act, the Court has power to grant instalments under the Agriculturists' Relief Act to the prejudice of the plaintiff society and the Financing Bank. The Mysore District Central Co-operative Bank to which the Bannur Sri Ramaswamy Society is indebted has recently brought a case to my notice in which the party raised the plea of an agriculturist and that the same was accepted by the Court. Such pleas are often raised in liquidation proceedings when the contribution orders are sought to be executed through Civil Courts.

4. Certain amount of delay is inevitable if in every case orders of Government for exempting the society from the operations of the Act have to be obtained and this delay is likely to prove detrimental to the best interests of the society. I am therefore of opinion that in the interests of the societies, the Financing Banks and the Movement, a general exemption of all the societies indebted to the Central Financing Institutions is very necessary and desirable.

I have the honour to be,
Sir,
Your most obedient servant,



Registrar.

J.S.5/9.

1837 236
P

C.S. 97-37-6.

No. 3875 C. S.

GOVERNMENT OF MYSORE.

DEPARTMENT OF CO-OPERATION.
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
IN MYSORE.

Dated Bangalore, 13th Sept. 1938
14/9

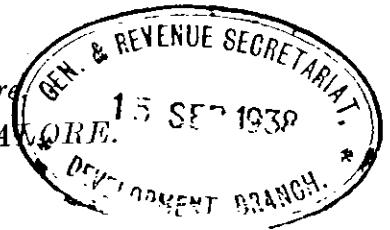
Telegraphic Address:
"CO-OPERT"
Bangalore



M. ABDUL HUKH, Esq., B.A.,

Registrar of Co-operative Societies in Mysore

BANGALORE.



To

P.H. Krishna Rao, Esq., M.A.,
Secretary to the Government of Mysore,
Local Self Government Department, Bangalore.

1401

Sir,

With reference to your letter No. 8961/C.S. 97-37-4 dated 30th May 1938 calling for certain information in respect of granting exemption from the operation of the Agricultural Relief Act to the Societies indebted to the Central Financing Institutions, I have the honour to state that the information called for has been furnished in my letter No. 3424 c.s. dated 7th Sept. 1938 addressed to you. The Bannur and Honnalagere societies referred to in the letter under reply are indebted to the Mysore District Central Co-operative Bank Ltd.

I have the honour to be,

Sir,

Your most obedient servant,

M. Abdul Hukh

REGISTRAR.

cv.13/9

The main file has been referred to the Asst Secy Law Dept on 16/9/38. This may also be sent to him in encumination

16/9/38

16/9

Asst. Secy. Law }
D.C. }

The main file is returned to the Asst Secy

Asst Secy
Dev. Br.)

16/9

16/9

The Registered names of the Institutions.

Bangalore District.

The Mysore Provincial Co-operative Apex Bank Limited, Bangalore.

Central
The Mysore/Co-operative Land Mortgage Bank Ltd., Bangalore.

The Bangalore Central Co-operative Bank Ltd., Bangalore.

Tumkur District.

The Tumkur District Central Co-operative Bank Ltd., Tumkur.

Mysore District.

The Mysore District Central Co-operative Bank Ltd., Mysore.

Hassan District.

The Hassan District Central Co-operative Bank Ltd., Hassan.

Shimoga District.

The Shimoga District Central Co-operative Bank, Ltd., Shimoga.

Kadur District.

The Kadur District Central Co-operative Bank Ltd., Chickmagalur.

SUBJECT

24 copies

Diary No. of letter replied to

General and Revenue Secretariat

()
the 193 .

Date of issue.....

Signed by

List of enclosures.....

Copied by

Examined by.....

Section

File No.

Serial No.

No.

Notification

In exercise of the powers vested in them under Section 25 A of the Mysore Agriculturists' Relief Act XVIII of 1928 and amended from time to time, the Govt of H.H. the Maharaja of Mysore are pleased to ~~direct~~ ^{direct} that the provisions of the said Act, except Section 2 and 3, shall not apply to any matter to, or in which, any ^{of the} cooperative societies indebted to the following Central financing Cooperative Banks is a party.

- 1) The Mysore Provincial Cooperative Apex Bank Limited. Bangalore
- 2) The Bangalore Central Cooperative Bank Limited. Bangalore

- 3) The Myrm Central Cooperative Lend
Mortgage Bank Limited, Bangalore
- 4) The Myrm District Central Coop. Bank Ltd Myrm--
- 5) The Hassan District Central Coop. Bank Ltd Hassan
- 6) The Kader District Central Coop Bank Ltd Chickmagalur
- 7) The Shivamogga District Central Coop Bank Ltd Shivamogga
- 8) The Tumkur District Central Coop. Bank Ltd Tumkur

By order

Jm

27/10/38

16/11/38 Secy. L.S.G

To The Compiler Mysore gazette for
publication in the Gazette in English
and Kannada with the request that
600 copies of each of the notifications
may be sent to this office

Under

LG 3803-12

Copies of the above is forwarded
with compliments to 1) the Revenue
2) the District Q.C.S. 3) the District High — D 3813
Bank with covering letter 4) the Secy
for information

B.O.

16/11/38
Secy. L.S.G

Copies to Revenue and Protective Branches

No. 193802/CS. 91-37-7 General and Revenue Secretariat,

Dated Bangalore, 1-11 1938
~~31st October~~

NOTIFICATION.

In exercise of the powers vested in them under Section 201 of the Mysore Agricultural Act XVIII of 1922 as extended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to direct that the provisions of the said Act, except Sections 8 and 13, shall not apply to any society, or societies, any of the co-operative societies mentioned in the following General Winding-up Co-operative Societies is a party:

1. The Mysore Provincial Co-operative Societies Union, Ltd., Bangalore.
2. The Bangalore Central Co-operative Society Ltd., Bangalore.
3. The Mysore Central Co-operative Society Ltd., Bangalore.
4. The Mysore District Central Co-operative Society, Ltd., Bangalore.
5. The Hassan District Central Co-operative Society, Ltd., Hassan.
6. The Channarayana District Central Co-operative Society, Ltd., Channarayana.
7. The Channarayana District Central Co-operative Society, Ltd., Channarayana.
8. The Channarayana District Central Co-operative Society, Ltd., Channarayana.

By Order,

Sd/- P. M. Krishna Rao,
Secretary to Government,
Bangalore.

To

The Commission, Mysore, for the purpose of the Mysore Agricultural Act XVIII of 1922 as extended from time to time, in which the Commission is requested to issue copies of the notification to the Commission.

CS. No. 193803-12

Dated, Bangalore 1-11 1938.

Copy of the above is forwarded, with compliments, to the Deputy Commissioners of Districts for information.

The Revenue Commissioner, Mysore

The Registrar of Societies

The Registrar, High Court

By order,

(Sd/-)

(Sd/-)

For Secretary to Government,
Bangalore.

193813

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LOCAL SELF-GOVERNMENT SECRETARIAT.

No. D. 3802—C. S. 97-37-7, dated 1st November 1938.

In exercise of the powers vested in them under Section 25-A of the Mysore Agriculturists' Relief Act, XVIII of 1928, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to direct that the provisions of the said Act, except Sections 2 and 13, shall not apply to any matter to, or in which any of the Co-operative Societies indebted to the following Central Financing Co-operative Banks is a party.

1. The Mysore Provincial Co-operative Apex Bank, Ltd., Bangalore.
2. The Bangalore Central Co-operative Bank, Ltd., Bangalore.
3. The Mysore Central Co-operative Land Mortgage Bank, Ltd., Bangalore.
4. The Mysore District Central Co-operative Bank, Ltd., Mysore.
5. The Hassan do do Hassan.
6. The Kadur do do Chikmagalur.
7. The Shimoga do do Shimoga.
8. The Tumkur do do Tumkur.

By Order,
P. H. KRISHNA RAO,
*Secretary to Government,
Local Self-Government Department.*